

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Timothy A. McKinsey *et al.*

Serial No.: 10/848,820

Filed: May 19, 2004

For: INHIBITION OF PROTEIN KINASE C-
MU (PKD) AS A TREATMENT FOR
CARDIAC HYPERTROPHY AND
HEART FAILURE

Group Art Unit: 1614

Examiner: Petersen, Clark D.

Atty. Dkt. No.: MYOG:044US

Confirmation No.: 4787

CERTIFICATE OF ELECTRONIC SUBMISSION

DATE OF SUBMISSION: January 25, 2007

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

MS AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56, it is respectfully requested that this Supplemental Information Disclosure Statement be entered and the documents listed on attached Form PTO-1449 be considered by the Examiner and made of record. Copies of the listed documents required by 37 C.F.R. § 1.98(a)(2) are enclosed for the convenience of the Examiner.

In accordance with 37 C.F.R. § 1.97(g), (h), this Supplemental Information Disclosure Statement is not to be construed as a representation that a search has been made, and is not to be

construed to be an admission that the information cited is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

The present Supplemental Information Disclosure Statement is being filed prior to the receipt of a first Official Action reflecting an examination on the merits, and hence is believed to be timely filed in accordance with 37 C.F.R. § 1.97(b). No fees are believed to be due in connection with the filing of this Supplemental Information Disclosure Statement, however, should any fees under 37 C.F.R. § 1.16 to 1.21 be deemed necessary for any reason relating to these materials, the Commissioner is authorized to deduct the appropriate fees from Fulbright & Jaworski Deposit Account No.: 50-1212/MYOG:044US.

Applicants respectfully request that the listed documents be made of record in the present case.

Respectfully submitted,



Steven L. Highlander
Reg. No. 37,642
Attorney for Applicants

FULBRIGHT & JAWORSKI L.L.P.
600 Congress Avenue, Suite 2400
Austin, Texas 78701
(512) 474-5201

Date: January 25, 2007

Form PTO-1449 (modified)		Atty. Docket No.: MYOG:044US	Serial No.: 10/848,820
List of Patents and Publications for Applicant's INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary)		Applicant: Timothy A. McKinsey <i>et al.</i>	
		Filing Date: May 19, 2004	Group: 1614
U.S. Patent Documents <i>See Page 1</i>	Foreign Patent Documents <i>See Page 1</i>	Other Art <i>See Page 1</i>	

U.S. Patent Documents

Exam. Init.	Ref. Des.	Document Number	Date	Name	Class	Sub Class	Filing Date of App.
	A14	2003/0134774	07/17/03	Steinberg <i>et al.</i>	514	1	06/14/02
	A15	2003/0229030	12/11/03	Theoharides	514	27	06/11/02

Foreign Patent Documents

Exam. Init.	Ref. Des.	Document Number	Date	Country	Language
	B6	EP 1297851	04/02/03	Europe	English
	B7	WO 03/075910	09/18/03	WIPO	English
	B8	WO 2004/014222	02/19/04	WIPO	English
	B9	WO 2004/017957	03/04/04	WIPO	English

Other Art (Including Author, Title, Date Pertinent Pages, Etc.)

Exam. Init.	Ref. Des.	Citation
	C26	Bristow and Gilbert, "Improvement in cardiac myocyte function by biological effects of medical therapy: a new concept in the treatment of heart failure," <i>Eur. Heart J.</i> , 16:20-31, 1995.
	C27	Haider <i>et al.</i> , "Resveratrol suppresses angiotensin II-induced Akt/protein kinase B and p70 S6 kinase phosphorylation and subsequent hypertrophy in rat aortic smooth muscle cells," <i>Molecular Pharmacology</i> , 62:772-777, 2002.
	C28	Thorburn and Thorburn, "The tyrosine kinase inhibitor, genistein, prevents alpha-adrenergic-induced cardiac muscle cell hypertrophy by inhibiting activation of the Ras-MAP kinase signaling pathway," <i>Biochemical and Biophysical Research Communications</i> , 202:1586-1591, 1994.
	C29	Xu <i>et al.</i> , "Stimulation of protein synthesis by phosphatidic acid in rat cardiomyocytes," <i>Biochemical Pharmacology</i> , 52:1735-1740, 1996.

25738710.1

EXAMINER:

DATE CONSIDERED:

EXAMINER: INITIAL IF REFERENCE CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED. INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.